

## Special City Commission Meeting

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive

September 21, 2006

Mayor David Dermer  
Vice-Mayor Jerry Libbin  
Commissioner Matti Herrera Bower  
Commissioner Simon Cruz  
Commissioner Luis R. Garcia, Jr.  
Commissioner Saul Gross  
Commissioner Richard L. Steinberg

City Manager Jorge M. Gonzalez  
City Attorney Jose Smith  
City Clerk Robert E. Parcher

Visit us at [www.miamibeachfl.gov](http://www.miamibeachfl.gov) for agendas and video "streaming" of City Commission Meetings.

### ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

### REGULAR AGENDA

#### R5 - Ordinances

- R5A An Ordinance Amending The Miami Beach Employees' Retirement Plan Created By Ordinance 2006-3504; Amending Section 2.11 Concerning The Definition Of Earnings; Amending Section 4.05 Concerning The Purchase Of Credited Service By Certain Members Who Previously Had Creditable Service Under The Classified Plan; Creating A New Section 4.06 Concerning The Purchase Of Creditable Service For Initial Probationary Period; Amending Section 5.01 Concerning The Normal Retirement Benefit; Amending Section 5.07 Concerning Death Benefits After Retirement; Amending Section 5.12 Concerning The Early Retirement Incentive Program; Amending Section 6.02 Concerning Contributions By Members; Providing For Severability; Repealing All Ordinances In Conflict Therewith; And Providing An Effective Date. **5:03 p.m. Second Reading, Public Hearing** (Page 18)

(Labor Relations)  
(First Reading on September 6, 2006)

**R5 - Ordinances** (Continued)

- R5B An Ordinance Amending Ordinance No. 789, The Classified Employees Salary Ordinance Of The City Of Miami Beach, Florida, Providing For The Classifications In Group II, Represented By The Fraternal Order Of Police (FOP) In Accordance With The Negotiated Agreement; Effective In The First Pay Period Ending In October Of 2006, There Shall Be An Across The Board Wage Increase Of Six Percent (6%), And The Minimum And Maximum Of Each Pay Range Will Also Be Increased By Six Percent (6%); Effective With The First Pay Period Ending In October Of 2007, There Shall Be An Across The Board Wage Increase Of Five Percent (5%), And The Minimum And The Maximum Of Each Pay Range Will Also Be Increased By Five Percent (5%); Effective In The First Pay Period Ending In October 2008, There Shall Be An Across The Board Wage Increase Of Four Percent (4%), And The Minimum And Maximum Of Each Pay Range Will Also Be Increased By Four Percent (4%); Repealing All Ordinances In Conflict; Providing For Severability, Effective Date And Codification. **5:03 p.m. Second Reading, Public Hearing** (Page 35)  
(Human Resources & Risk Management)  
(First Reading on September 6, 2006)

- R5C An Ordinance Amending Ordinance No. 789, The Classified Employees Salary Ordinance Of The City Of Miami Beach, Florida, Providing For The Classifications In Group I, Being Those Classifications Covered By The American Federation Of State, County And Municipal Employees (AFSCME) Local No. 1554, In Accordance With The Negotiated Agreement; Effective In The First Pay Period Ending In May Of 2007, There Shall Be An Across The Board Wage Increase Of Six Percent (6%), And The Minimum And Maximum Of Each Pay Range Will Also Be Increased By Six Percent (6%); Effective With The First Pay Period Ending In May Of 2008, There Shall Be An Across The Board Wage Increase Of Five Percent (5%), And The Minimum And The Maximum Of Each Pay Range Will Also Be Increased By Five Percent (5%); Effective In The First Pay Period Ending In May 2009, There Shall Be An Across The Board Wage Increase Of Four Percent (4%), And The Minimum And Maximum Of Each Pay Range Will Also Be Increased By Four Percent (4%); Repealing All Ordinances In Conflict; Providing For Severability, Effective Date And Codification. **5:03 p.m. Second Reading, Public Hearing** (Page 42)  
(Human Resources & Risk Management)  
(First Reading on September 6, 2006)

- R5D An Ordinance Amending Ordinance No. 789, The Classified Employees Salary Ordinance Of The City Of Miami Beach, Florida, Providing For The Classifications In Group V, Being Those Classifications Covered By The Government Supervisors Association Of Florida, OPIEU Local 100, (GSAF), In Accordance With The Negotiated Agreement; Effective In The First Pay Period Ending In October Of 2006, There Shall Be An Across The Board Wage Increase Of Six Percent (6%), And The Minimum And Maximum Of Each Pay Range Will Also Be Increased By Six Percent (6%); Effective With The First Pay Period Ending In October Of 2007, There Shall Be An Across The Board Wage Increase Of Five Percent (5%), And The Minimum And The Maximum Of Each Pay Range Will Also Be Increased By Five Percent (5%); Effective In The First Pay Period Ending In October 2008, There Shall Be An Across The Board Wage Increase Of Four Percent (4%), And The Minimum And Maximum Of Each Pay Range Will Also Be Increased By Four Percent (4%); Repealing All Ordinances In Conflict; Providing For Severability, Effective Date And Codification. **5:03 p.m. Second Reading, Public Hearing** (Page 51)  
(Human Resources & Risk Management)  
(First Reading on September 6, 2006)

**R5 - Ordinances** (Continued)

- R5E An Ordinance Amending Ordinance No. 789, The Classified Employees Salary Ordinance, For Classifications In Group VI, Being All Other Classifications In The Classified Service Not Covered By A Bargaining Unit; Providing For All Employees In Group VI, "Others", Effective In The First Pay Period Ending In May Of 2007, There Shall Be An Across The Board Wage Increase Of Six Percent (6%), And The Minimum And Maximum Of Each Pay Range Will Also Be Increased By Six Percent (6%); Effective With The First Pay Period Ending In May Of 2008, There Shall Be An Across The Board Wage Increase Of Five Percent (5%), And The Minimum And The Maximum Of Each Pay Range Will Also Be Increased By Five Percent (5%); Effective In The First Pay Period Ending In May 2009, There Shall Be An Across The Board Wage Increase Of Four Percent (4%), And The Minimum And Maximum Of Each Pay Range Will Also Be Increased By Four Percent (4%); And Providing For A Repealer, Severability, Effective Date, And Codification. **5:03 p.m. Second Reading, Public Hearing** (Page 60)  
(Human Resources & Risk Management)  
(First Reading on September 6, 2006)
- R5F An Ordinance Amending Ordinance No. 1605, The Unclassified Employees Salary Ordinance; Providing For Cost-Of-Living Adjustments (COLA) For All Unclassified Employees, Effective In The First Pay Period Ending In May Of 2007, There Shall Be An Across The Board Wage Increase Of Six Percent (6%), And The Minimum And Maximum Of Each Pay Range Will Also Be Increased By Six Percent (6%); Effective With The First Pay Period Ending In May Of 2008, There Shall Be An Across The Board Wage Increase Of Five Percent (5%), And The Minimum And The Maximum Of Each Pay Range Will Also Be Increased By Five Percent (5%); Effective In The First Pay Period Ending In May 2009, There Shall Be An Across The Board Wage Increase Of Four Percent (4%), And The Minimum And Maximum Of Each Pay Range Will Also Be Increased By Four Percent (4%); Further, By Establishing The Classifications Of Administrative Manager, Assistant Ice Rink Manager, Building Permitting Information Analyst I, Building Permitting Information Analyst II, Building Records Manager, Contracts Compliance Specialist, Development Review Services Coordinator, Geographic Information System Manager And Storage Area Network Architect; Amending The Title And Grade Of The Classification Of Streets & Lighting Superintendent And Grades Of The Classifications Of Assistant Building Director, Tourism & Convention Director And Property Management Contracts Coordinator; And Providing For A Repealer, Severability, Effective Date, And Codification. **5:03 p.m. Second Reading, Public Hearing** (Page 69)  
(Human Resources & Risk Management)  
(First Reading on September 6, 2006)
- R5G An Ordinance Amending Chapter 14 Of The City Code, Entitled "Building Regulations"; Amending Division II Therein, Entitled "Permit Fees"; Amending Sections 14-426 Therein, Entitled "Annual Facility Permit"; Amending Subsection 14-426(3)(G) Therein, Providing For Certificate Of Use Fees; Said Amendment Changing That Certain Established Period For The City To Determine The Corresponding Increase In Fees For Certificates Of Use, From The "Effective Date" Of October 1, 2006 (Fiscal Year 2006-07) To The New Effective Date Of October 1, 2007 (Fiscal Year 2007-08); And Providing Further That The Period To Determine Said Certificate Of Use Fee Increase (To Commence On The Effective Date Of October 1, 2007) Shall Also Be Amended To Provide That The Fee Shall Be Increased By A Percentage Equal To The Cumulative Change In The Consumer Price Index (CPI) Measured Between March 2003 To April 2007; Providing For Repealer, Severability, Codification, And An Effective Date. **5:03 p.m. Second Reading, Public Hearing** (Page 88)  
(Finance Department)  
(First Reading on September 6, 2006)

**R5 - Ordinances** (Continued)

- R5H A Ordinance Amending Appendix A Of The City Code, Entitled "Fee Schedule," By Amending The Fee Schedules For Section 110-166 Entitled "Schedule Of Water Rates And Tapping Charges" By Amending Subsections (A) And (B) Thereof And By Amending The Fee Schedules For Section 110-168 Entitled "Sanitary Sewer Charge," Of Division 2, Entitled "Rates, Fees, And Charges," Of Article Iv Entitled, "Fees, Charges, Rates And Billing Procedure," Of Chapter 110 Entitled "Utilities," In Order To Increase The Minimum Monthly Service Charge Imposed By The City; Adjusting The Schedule Of Rates For The Minimum Monthly Water Service Charge; And Increasing The Sanitary Sewer Service Charge Imposed By The City; Providing For Codification, Repealer, Severability, And An Effective Date. **First Reading** (Page 95)  
(Public Works)

**R7 - Resolutions**

- R7A1 A Resolution Adopting: 1) The Final Ad Valorem Millage Of 7.374 Mills For General Operating Purposes, Which Is Twenty Five And Six Tenths Percent (25.6%) Greater Than The "Rolled-Back" Rate Of 5.872 Mills; And 2) The Debt Service Millage Rate Of 0.299 Mills For Fiscal Year 2006/07. **5:01 p.m. Second Reading, Public Hearing** (Page 105)  
(Office of Budget & Performance Improvement)  
(First Reading on September 6, 2006)
- R7A2 A Resolution Adopting Final Operating Budgets For The General Fund, General Obligation (G.O.) Bond Debt Service, RDA Fund-Ad Valorem Taxes, Enterprise, And Internal Service Funds For Fiscal Year 2006/07. **5:01 p.m. Second Reading, Public Hearing** (Page 110)  
(Office of Budget & Performance Improvement)  
(First Reading on September 6, 2006)
- R7B1 A Resolution Of The Board Of Directors Of The Normandy Shores Local Government Neighborhood Improvement District Adopting The Final Ad Valorem Millage Of 0.338 Mills For Fiscal Year 2006/07 For The Normandy Shores Local Government Neighborhood Improvement District, Which Is Six Percent (6.0%) Greater Than The "Rolled-Back" Rate Of 0.319 Mills. **5:02 p.m. Second Reading, Public Hearing** (Page 147)  
(Office of Budget & Performance Improvement)  
(First Reading on September 6, 2006)
- R7B2 A Resolution Of The Board Of Directors Of The Normandy Shores Local Government Neighborhood Improvement District Adopting The Final Operating Budget For Fiscal Year 2006/07. **5:02 p.m. Second Reading, Public Hearing** (Page 152)  
(Office of Budget & Performance Improvement)  
(First Reading on September 6, 2006)
- R7C A Resolution Adopting The Annual Fiscal Year (FY) 2006/07 Appropriations For The Capital Renewal And Replacement Fund Budget, In The Amount Of \$3,266,096. (Page 157)

(Office of Budget & Performance Improvement)

**R7 - Resolutions** (Continued)

- R7D A Resolution Adopting Fiscal Year 2006/07 Budgets For Special Revenue Funds For Resort Tax; The 7th Street Garage Operations; South Pointe Capital Renewal And Replacement; And The State Major Cultural Institution Grant For The Bass Museum. (Page 164)  
(Office of Budget & Performance Improvement)
- R7E A Resolution Appropriating The City Of Miami Beach And Miami Beach Redevelopment Agency Capital Budget For Fiscal Year 2006-2007 And Adopting The Capital Improvement Plan For Fiscal Years 2007-2011. **Joint City Commission and Redevelopment Agency** (Page 171)  
(Finance Department)
- R7F A Resolution Adopting The Miami Beach Cultural Arts Council's Fiscal Year 2006/07 Budget In The Amount Of \$1,281,917. (Page 194)  
(Tourism & Cultural Development)
- R7G A Resolution Accepting The City Manager's Recommendation, And Approving The Cultural Arts Council's Funding Recommendations, And Awarding \$642,888 In Said Grants, For Fiscal Year 2006/07, As Identified In The Attached Exhibit "A"; And Further Authorizing The Mayor And City Clerk To Execute Said Grant Agreements, And Make The Award Of Said Grant Monies Subject To And Contingent Upon The Approval Of The Cultural Arts Council's Budget For The Fiscal Year 2006/07. (Page 199)  
(Tourism & Cultural Development)
- R7H A Resolution Adopting And Approving The Miami Beach Visitor And Convention Authority (VCA) Fiscal Year 2006/07 Budget In The Amount Of \$1,607,696. (Page 206)  
(Tourism & Cultural Development)
- R7I A Resolution Authorizing The Appropriation Of \$574,589 From The Fiscal Year (FY) 2005-06 People's Transportation Plan (PTP) Funds; \$457,114 From Concurrency Mitigation/South Beach Funds; And \$246,722 From The FY 2006-07 Parking Enterprise Budget, To Cover The \$1,278,425 Miami Beach Share Of The FY 2006-07 Operating Budget Of The South Beach Local (As Previously Authorized By Resolution No. 2005-25934, Dated June 8, 2005, Which Executed An Interlocal Agreement With Miami-Dade County For The Provision Of A Bi-Directional Transit Circulator Route Service In South Beach). (Page 213)  
(Public Works)
- R7J A Resolution Adopting City Of Miami Beach Financial Policies Relating To Stabilization Funds; Fund Balance; Contingency Planning And Cash Reserves; Use Of Non-Recurring Revenues; Capital Asset Acquisition, Maintenance, Replacement And Retirement; And Guiding The Design Of Programs And Services. (Page 222)  
(Office of Budget & Performance Improvement)

**R7 - Resolutions** (Continued)

- R7K A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 1 To The Agreement With Christmas Designers Inc., For The Design, Installation, On-Going Servicing And Maintenance Of A Citywide Holiday Decorations Program, By Increasing The Scope Of Services To Include Additional Decorations For The Exterior Of City Hall And Sections Of Espanola Way, Lincoln Road And Collins Avenue; Increasing The Contractual Amount From \$300,000 To An Amount Not To Exceed \$429,810 Per Year For The Remaining Two Years Of The Agreement. (Page 243)  
(Parks & Recreation)

**R10 - City Attorney Reports**

- R10A Notice Of Attorney-Client Session. (Page 259)  
Pursuant To Section 286.011, Florida Statutes, The City Attorney Hereby Advises The Mayor And City Commission That He Desires Advice Concerning The Following Pending Litigation Matters:

City Of Miami Beach, A Florida Municipal Corporation, Vs. 900 Collins Ave., LLC, A Florida Limited Liability Company. Eleventh Judicial Circuit, Case No. 06-01533 CA10; And

900 Collins Avenue, LLC, A Florida Limited Liability Company, Vs. City Of Miami Beach, A Florida Municipal Corporation, And Thomas Velazquez, Building Official, City Of Miami Beach. Eleventh Judicial Circuit, Case No. 06-05341CA09

Therefore, A Private Closed Attorney-Client Session Will Be Held At 6:30 P.M. During A Break Of The City Commission Meeting On September 21, 2006 In The City Manager's Large Conference Room, Fourth Floor, City Hall, To Discuss Settlement Negotiations And/Or Strategy Related To Litigation Expenditures With Regard To The Above Referenced Litigation Matters.

The Following Individuals Will Be In Attendance: Mayor David Dermer; Members Of The City Commission: Matti H. Bower, Simon Cruz, Luis R. Garcia Jr., Saul Gross, Jerry Libbin And Richard Steinberg; City Attorney Jose Smith, City Manager Jorge Gonzalez, First Assistant City Attorneys Gary Held, Debra Turner, And Rhonda Montoya-Hasan.

**End of Regular Agenda**